

IN THE SUPREME COURT OF THE STATE OF DELAWARE

DANIEL M. WOODS,	§
	§ No. 143, 2005
Petitioner Below-	§
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware
	§ in and for New Castle County
DWIGHT HOLDEN, et al.,	§ C.A. No. 05M-03-071
	§
Respondents Below-	§
Appellees.	§

Submitted: July 29, 2005
Decided: September 20, 2005

Before **HOLLAND, BERGER** and **JACOBS**, Justices

ORDER

This 20th day of September 2005, upon consideration of the briefs on appeal and the record below, it appears to the Court that:

(1) The petitioner-appellant, Daniel M. Woods, filed an appeal from the Superior Court's March 29, 2005 order denying his petition for a writ of habeas corpus. We find no merit to the appeal. Accordingly, we AFFIRM.

(2) In 1981, Woods was convicted of Conspiracy in the Third Degree and Criminal Trespass in the Second Degree. He was sentenced to a total of 2 years and 3 months incarceration at Level V. In 1982, Woods was convicted of five counts of Burglary in the Second Degree and one count

each of Felony Theft, Misdemeanor Theft, Conspiracy in the Third Degree and Unauthorized Use of a Motor Vehicle. He was sentenced to a total of 14 years incarceration at Level V for those crimes. Between June 1981 and April 1989, Woods was continuously either at Level V incarceration or Level IV work release in connection with these sentences. On April 27, 1989, Woods was released on parole.

(3) While on parole, Woods committed new offenses resulting in his convictions of six counts of Burglary in the Second Degree. He was arrested on January 5, 1990 and held in default of bail. On June 1, 1990, he was sentenced to 34 years incarceration at Level V, to be suspended after 30 years for decreasing levels of probation. Woods was incarcerated from January 5, 1990 until September 19, 2002, when he again was released on parole. Woods again committed new offenses, resulting in his reincarceration on August 10, 2004, where he remains at the present time.

(4) On November 10, 2004, the Board of Parole determined that Woods had violated the conditions of his parole and ordered him to serve the remainder of his Level V sentence. The Board also revoked the good time credits previously earned by Woods. On February 9, 2005, Woods was convicted of two additional counts of Burglary in the Second Degree and

one additional count of Felony Theft. He was sentenced to 18 years incarceration at Level V, to be suspended after 3 years for probation.

(5) In this appeal, Woods claims that the Superior Court should have granted his petition for a writ of habeas corpus. He argues that the Board of Parole had no authority to revoke his good time on sentences he already had completed serving.

(6) In Delaware, the writ of habeas corpus provides relief on a very limited basis.¹ Habeas corpus only provides “an opportunity for one illegally confined or incarcerated to obtain judicial review of the jurisdiction of the court ordering the commitment.”² “Habeas corpus relief is not available to ‘[p]ersons committed or detained on a charge of treason or felony, the species whereof is plainly and fully set forth in the commitment.’”³

(7) Woods has presented no evidence that the charges against him were not valid on their face or that the Superior Court lacked jurisdiction to adjudicate the various criminal charges against him. As such, he is not entitled to habeas corpus relief and the Superior Court was correct in so deciding.

¹ *Hall v. Carr*, 692 A.2d 888, 891 (Del. 1997).

² *Id.*

³ *Id.* (quoting Del. Code Ann. tit. 10, § 6902(1)).

NOW, THEREFORE, IT IS ORDERED that the judgment of the Superior Court is AFFIRMED.

BY THE COURT:

/s/ Carolyn Berger
Justice